



**HACS**

Hillingdon Autistic Care & Support  
Registered Charity Number 1066859

# SAFEGUARDING STRATEGY

In recognition that Safeguarding encompasses every aspect of our work, the Charity has employed a Safeguarding Strategy which includes all policies relevant to promoting the safety and well-being of all individuals who access the Charity's services.

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# ***Safeguarding Policy***

## **Rationale**

Protecting children, young people and vulnerable adults is an essential part of our work. The process is complex and involves commitment from all staff, Trustees and volunteers. The charity recognises we have a legal duty to work with other agencies, in protecting children from harm and responding to harm. This policy will be reviewed annually.

The aim of the Safeguarding Strategy is to reduce the risk of harm taking place in the first instance. By cultivating an awareness that all autistic people using our services are potentially at risk by virtue of their disability, we hope to encourage an atmosphere which reduces the possibilities of harm. To this end, this document incorporates the following areas of practice:

- Safer Recruitment
- Child Protection
- Staff Behavioural Expectations
- Allegations against staff, volunteers or Trustees
- Allegations of peer-on-peer abuse
- Preventing Extremism
- E-Safety and Acceptable Use
- Photography
- Absconding Child/Young Person
- Uncollected Child/Young Person

The Charity has statutory responsibilities in relation to safeguarding under the following legislation and statutory guidance:

- Children Acts 1989 and 2004
- Safeguarding Vulnerable Groups Act (2006)
- Working Together to Safeguard Children (2015)
- What to do if you are worried a child is being abused (2015)
- Counter-Terrorism and Security Act (2015)

The Charity also has statutory responsibilities to ensure that all beneficiaries and staff, volunteers and Trustees are protected under health and safety legislation and practice (***please see HACS Health and Safety Strategy***).

## **Statement of Intent**

HACS are committed to promoting the best outcomes for children, young people and vulnerable adults that access our services. All children, young people and vulnerable adults regardless of age, disability, gender, culture, religion or sexuality will have the right to equal protection from all forms of harm or abuse. In all areas of our work, we will therefore strive for every individual to be

healthy; stay safe; enjoy and achieve; make a positive contribution and achieve economic well-being.

Safeguarding is the process of promoting children's welfare and putting measures in place to improve children's safety and prevent abuse. This includes protecting children from harm, preventing impairment of children's health or development and ensuring children are living in safe and supportive care environments. All those who come into contact with children and families in their everyday work, including practitioners who do not have a specific role in relation to child protection, have a duty to safeguard and promote the welfare of children.

Our Safeguarding Strategy is governed by the following principles:

- Everyone has a right to be safe and children, young people and vulnerable adults need to be protected from all forms of abuse and neglect
- safeguarding is everyone's responsibility;
- early intervention is essential, before issues escalate and become more damaging
- individuals and their families are best supported and protected when there is a coordinated response from all relevant agencies

## **Implementation**

Autistic people are particularly vulnerable because of their:

- Dependency on others for basic and social needs
- Lack of control over their own life
- Compliance and obedience 'instilled' as good behaviour
- Lack of knowledge about sex, and the misunderstanding of sexual advances
- Inability to communicate experiences
- The inability to distinguish between different types of touch

We will seek to safeguard children, young people and vulnerable adults by respecting each person as an individual. Staff, volunteers and Trustees will provide an environment where all individuals and their families are valued and listened to. Our aim is for them to feel free to talk about concerns and see HACS as a safe place when there are difficulties. The individual's worries and fears will be taken seriously, if they seek help from a member of the team. However, staff cannot guarantee confidentiality, if concerns are such that a referral must be made to the appropriate agencies. Safeguarding is our first priority, and the Trustees and Chief Executive will ensure that sufficient resources are made available, to enable the necessary tasks to be carried out properly. Staff will be released from normal duties for essential meetings, to prepare written reports, or to attend training as required.

The Charity's Designated Safeguarding Lead (DSL) is the Chief Executive, Antoinette Mullally. In the absence of the DSL, there will be appropriately trained Duty Safeguarding Officers. The DSL will ensure that the named Safeguarding representatives are clearly displayed around the Resource Centre and satellite sites that the Charity operates from.

## **Induction and Training**

Every new member of staff, volunteer or Trustee will receive appropriate induction training on their responsibilities in relation to Safeguarding children, young people and vulnerable adults. All staff, Trustees and volunteers will complete “Safeguarding Everyone” training within their induction period so that they are fully informed of signs and symptoms of abuse and procedures within the Safeguarding Strategy. Safeguarding training will be refreshed annually. The training sessions will be offered regularly on a variety of days and times to accommodate the requirements of all Trustees, staff and volunteers. If a member of staff is unable to attend the sessions, they will need to complete the “Safeguarding Everyone” e-learning module. In order to validate their training, they will need to provide an original certificate as evidence of learning together with a signed learning declaration form.

The nominated person (Safeguarding Officer) must be trained to Level 3 standard in Designated Safeguarding Officer training. This is available through the London Borough of Hillingdon’s “Working Together to Safeguard Children and Young People” training. The nominated person will receive refresher training every three years and will be responsible for keeping up-to-date with changes in legislation and other specific training requirements as required.

All persons who are leading Recruitment processes and/or chairing an interview panel should have training in Safer Recruitment. This is provided as an e-learning module.

# ***Safer Recruitment***

## **Rationale**

Recruiting and selecting the right people is of paramount importance. The Safer Recruitment policy applies to all staff, Trustees and volunteers who wish to apply for a position within the Charity. The Procedure provides specific and detailed guidance on recruitment and pre-employment vetting checks which must be carried out to ensure effective safeguarding in recruitment.

The policy will ensure, as far as possible, that the best people are recruited on merit and that the recruitment process is free from bias and discrimination on the grounds of age, race, gender, marital status, disability, sexual orientation, religious belief or social class. The procedure applies to all appointments within the Charity.

## **Legal Context**

In recruiting staff the following legislation affects recruitment and selection and underpins this procedure:

- Rehabilitation of Offenders Act 1974
- Employment Rights Act 1996
- Trade Union and Labour Relations (Consolidation) Act 1992
- Asylum & Immigration Act 1996
- The Equality Act 2010
- Safeguarding Vulnerable Groups (2006)
- Protection of Freedom Act (2012)

## **Advertising Vacancies**

All positions will be advertised internally. The Trustees and Chief Executive will jointly make a decision whether a post will be advertised externally.

All adverts for staff, Trustee and volunteer positions shall include the following statement in a prominent position:

*“HACS is an equal opportunities and inclusive employer. Applications from people with disabilities and ethnic minorities who meet the essential criteria are actively encouraged as a diverse workforce is vital to our continued success. HACS is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff and volunteers to share this commitment. The successful candidate will be required to undergo an enhanced DBS disclosure.”*

The Chief Executive will be responsible for recruitment of permanent staff and Trustees and will be the named contact on all job adverts. The Recreation Coordinator will be the named contact for sessional staff member positions. Vacancies will instruct interested applicants to contact the Charity using named contact details to request an application pack.

## **Application Stage**

### ***Application Packs for Employees (permanent and sessional)***

Application packs for positions of paid employment will include the information listed below:

#### *Section 1: About HACS*

A brief description of the Charity's services together with mission statement, values and aims.

#### *Section 2: Finding us*

A guide including the Charity's full address, public transport links, access by road and accompanying map of the local area.

#### *Section 3: Job Profile*

The job profile will include the Job Description and Person Specification. The content of the Job Description and Person Specification will be determined by the Chief Executive and approved by the Board of Trustees before advertising. All job descriptions and person specification must comply with the Charity's Equal Opportunities Policy and most recent Employment Legislation. As a minimum, the job description will identify the post name, main place of work, salary, hours of work, purpose of job and key responsibilities. All job descriptions will include a responsibility to comply with the Charity's Safeguarding procedures. The Person Specification will set out role requirements, qualifications and experience, knowledge and skills and personal qualities. The criteria must be clear, fair and justifiable and must not directly or indirectly discriminate. The criteria must also be job related, reasonable and will include values that are based upon a commitment to supporting children, young people and vulnerable adults. At minimum, personal qualities for all permanent staff, sessional staff, volunteer and Trustee positions will include:

- A commitment to safeguarding and promoting the welfare of children, young people and vulnerable adults
- A commitment to promoting inclusion of people on the autism spectrum so they may take an active role in society and lead rewarding and fulfilling lives
- Commitment to anti-discriminatory practice and implementation of equal opportunities

Once the criteria have been agreed it must be weighted as either ESSENTIAL or DESIRABLE. Essential criteria are those, which the candidate must have to be appointed, while the desirable criteria are those that may be acquired following appointment. Once the criteria have been agreed the person specification is the tool used throughout the selection process for short-listing, designing interview questions, scoring and selecting candidates.

#### *Section 4: Eligibility*

All candidates for paid positions whether permanent or sessional must complete the Eligibility to work in the UK form. Should the candidate be invited to interview they will be required to produce evidence of their eligibility to work in the UK.

### *Section 5: Application form*

The application form will be the main source of evidence for short-listing candidates. Application forms will be standard for all positions. Applicants will be required to list their qualifications, relevant training/continuous personal development and a personal statement outlining how they meet the person specification for the role. All applicants must list a full history in chronological order since leaving secondary education, including periods of any post-secondary education or training and part-time or voluntary work as well as full-time employment with start and end dates, explanations for periods not in employment, education or training and reasons for leaving each employment. Application forms will also include a requirement to declare any family or close relationship to any existing employees or Trustees. Applicants must provide details of referees to cover the last 5 years of employment. Referees should not be accepted from relatives or persons writing solely in the capacity of friends. Where an applicant who is not currently working with children has done so in the past, it is important that a reference is also obtained from the employer by whom the person was most recently employed in work with children. Careful consideration needs to be given where the applicant has been working as a locum or on a series of temporary contracts. The need to request an additional reference from the last permanent employer should be considered.

### ***Application Packs for Trustees and Volunteers***

Application packs for Trustees and volunteers will include Section 1 and 2 as listed above. An appropriate role description proportionate to the position will also be included; it should be noted that some volunteers will apply to support the Charity with non-specific and occasional voluntary input and therefore a role description may not be appropriate on this occasion. Applicants must provide contact details for at least one referee, preferably the applicant's current or most recent employer. The Charity recognises that many young people in the local community wish to volunteer from a young age and this may be their first professional work experience. A reference from their school is therefore acceptable.

### **Short-listing**

Once the closing date has been reached, the Chief Executive will short-list the candidates using the person specification criteria. Decisions made will be recorded on a short-listing form to provide evidence of how the decision was reached. When short-listing, staff must ensure objectivity and look for examples/evidence of how candidates meet both the essential and desired criteria, they must not make assumptions.

The Chief Executive will invite short-listed candidates to interview using the standard template letter which will instruct candidates to bring photographic ID, proof of their eligibility to work in the UK and original copies of their qualifications to the interview. They must produce the necessary original documents (valid work permit and passport) to evidence that they are eligible to work and reside in the UK. This is an important part of the pre-employment vetting process and the Chief Executive is personally responsible for ensuring the process is carried out in accordance with this procedure and is also responsible for the employment of a candidate who was not eligible to work in the UK. Candidates will also be asked to provide details of any reasonable adjustments required at the interview.

## **Interview**

The interview panel will consist of a minimum of 2 people. The Chief Executive and/or a member of the Board of Trustees will preside on the panel for recruitment of permanent staff members and Trustees. Where possible it is preferable for a third panel member who is a parent/carer or an autistic adult is present to ensure service user representation and voice in the recruitment process. For recruitment of sessional workers, the Recreation Coordinator will be supported on the panel by the Chief Executive, a Trustee or another member of staff who is trained in Safer Recruitment.

All interview panels where possible should also be balanced to include a mix of gender and race/ethnicity. The interviewing panel will consist of the same people for each individual advertised position. Should a conflict of interest arise in that, a relative of a Trustee or member of staff apply for a position within the organisation, the Chief Executive or Chair of the Charity (whoever is independent of the candidate) will adopt the procedures outlined in the Charity's conflict of interest policy to ensure the process is open and transparent.

The interview panel will meet to determine a list of appropriate questions which will be asked of all prospective candidates. Interview questions will vary depending on the position but all positions will include at minimum questions based on the following:

- The candidate's commitment to safeguarding and promoting the welfare of children, young people and vulnerable adults
- The candidate's commitment to promoting inclusion of people on the autism spectrum so they may take an active role in society and lead rewarding and fulfilling lives
- The candidate's commitment to anti-discriminatory practice and implementation of equal opportunities
- The candidate's motivation for working with children, young people or vulnerable adults

For each candidate, each panel member will be given an interview pack. All candidates will be asked the same set of questions and will be allocated the same amount of time for their interview. One of the panel members must be given the responsibility to discuss gaps in employment or any issues on the application form that requires clarification. Each panel member is required to score the candidates response against the set criteria. It is essential that appropriate recording of the candidate's responses is made to ensure that scoring can be carried out accurately and fairly. The panel members should ensure that appropriate probing takes place to gain and validate evidence.

## **Selection Process**

No one person will have responsibility for a recruitment decision. The Chief Executive is responsible on the day for ensuring all staff involved in the selection process know what role they are required to undertake. The decision should be made based on the scoring from application and interview.

At this point all equal opportunities data will be separated from interview data and retained for monitoring purposes.

## Pre-Employment Checks

### *References*

The purpose of seeking references is to obtain objective and factual information to support the appointment decision. References must not be accepted except where they have been sought directly by the candidate. Open "To whom it may concern" references must never be accepted. A copy of the job description and the person specifications should be included with all reference requests. Standard reference templates are available for staff, Trustees and volunteers (separate forms). All requests for references will ask:

- About the referee's relationship with the candidate, e.g. did they have a working relationship; if so, what; how long has the referee known the candidate, and in what capacity;
- Whether the referee is satisfied that the person has the ability and is suitable to undertake the job;
- Whether the referee is completely satisfied that the candidate is suitable to work with children, young people and vulnerable adults and if not, for specific details of the referees concerns and the reasons why the referee believes the person might be unsuitable;
- Confirmation of details of the candidates current post, salary and sickness record;
- Specific verifiable comments about the candidates performance history and conduct;
- Details of any disciplinary procedures the candidate has been subject to in which the disciplinary sanction is current;
- Details of any disciplinary procedures the candidate has been subject to involving issues related to the safety and welfare of children, including any in which the disciplinary sanction has expired, and the outcome of those;
- Details of any allegations or concerns that have been raised about the candidate that relate either to the safety and welfare of children or behaviour towards children and the outcome of those concerns, e.g. whether the allegations or concerns were investigated, the conclusions reached, and how the matter was resolved. In relation to teachers and staff (including volunteers) in a school or FE College that provides education for children under 18, cases in which an allegation was proven to be unsubstantiated, unfounded or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be unsubstantiated, malicious etc. should also not be included in any reference

Reference requests should remind the referee that:

- They have a responsibility to ensure that the reference is accurate and does not contain any material misstatement or omission;
- Relevant factual content of the reference may be discussed with the applicant.

## **Disclosure and Barring Service Checks**

We will comply with DBS Guidance for Employers Code of Practice throughout all aspects of the disclosure process. (<https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers>)

The Charity is exempt from the provisions of the Rehabilitation of Offenders Act 1974 (Exemptions) (Amendments) Order 1986. It is the policy of the Charity that all Trustees and staff should complete a DBS application form and provide the appropriate original documents as evidence. Volunteers who will engage in “regulated activity” as defined by the Protection of Freedoms Act 2012 will also be required to complete an Enhanced DBS disclosure. The new definition of regulated activity relating to children comprises only: (i) Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children; (ii) Work for a limited range of establishments (‘specified places’), with opportunity for contact: for example, schools, children’s homes, childcare premises. Permanent or sessional staff members will not commence work until a satisfactory DBS disclosure has been received. Trustees and volunteers are not able to commence work including direct contact with children, young people or vulnerable adults until an Enhanced DBS disclosure is received.

It is unlawful for a prospective employee to withhold or not to disclose details of any criminal convictions (even if time spent), arrests or police cautions pending or otherwise. The member of staff responsible for the DBS checking process must ensure that they only accept original documents from the list of “acceptable identity documents” from the DBS applicant’s guide. The documents must be photocopied and counter signed by the member of staff undertaking the verification checks. The Safeguarding Vulnerable Groups Act 2006 provides the legislative framework for the new Vetting and Barring scheme, stating that an employer must not knowingly engage a “barred” person in regulated activity. The requirements of this legislation are that a person who is barred from working with children or vulnerable adults will be breaking the law if they work or volunteer or try to work or volunteer in such a capacity. Should HACS knowingly employ or allow a person to volunteer who is barred from working with these groups will be breaking the requirements of Safeguarding Children and Safer Recruitment.

During the course of employment, employees are required to notify the Chief Executive within 24 hours of any criminal conviction, police caution, or arrest by the Police. Failure to do so could result in disciplinary action leading to the employee’s dismissal.

Trustee, staff and volunteer DBS checks will be renewed every 3 years. For sessional staff members, if there is a break in service of over three months, a new DBS disclosure will be required.

# ***Child Protection***

## **Rationale**

Child Protection is part of Safeguarding and Promoting Children's Welfare. This refers to the action taken to protect specific children who are at risk of harm. Abuse and neglect are forms of maltreatment – a person may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm.

### **Definitions of Abuse**

The following definitions of abuse are recognised in "Care and Support Statutory Guidance" issued under the Care Act 2014 and "Keeping children safe in education" statutory guidance for schools and colleges:

**Physical abuse** including hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child/adult.

**Domestic violence** – including psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence.

**Sexual abuse** including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

**Neglect** including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating

Self-neglect – this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

**Psychological/emotional** including emotional abuse, threats of harm and abandonment, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation. It may involve serious bullying (including cyberbullying), causing a person to frequently feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment, although it may occur alone.

**Modern slavery** – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

**Mate Hate Crime** - is 'any criminal offence that is motivated by hostility or prejudice based upon a person's disability' and is done by someone known to the disabled person.

**Female Genital Mutilation** comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for nonmedical reasons. It involves removing and damaging healthy and normal female genital tissue, and hence interferes with the natural function of girls' and women's bodies. The practice causes severe pain and has several immediate and long-term health consequences, including difficulties in childbirth also causing dangers to the child.

## Signs and Symptoms of Abuse

The following signs and symptoms may indicate that a child is at risk of or has already been harmed. Practitioners must remember one or more of following signs/symptoms should indicate concern but are not a definite indicator that abuse has taken place. Staff should therefore follow the Child Protection Procedure if they observe one or more of the below:

Children whose behaviour changes – they may become aggressive, challenging, disruptive, withdrawn or clingy, or they might have difficulty sleeping or start wetting the bed

Children with clothes which are ill-fitting and/or dirty

Children with consistently poor hygiene

Children who make strong efforts to avoid specific family members or friends, without an obvious reason

Children who don't want to change clothes in front of others or participate in physical activities

Children who are having problems at school, for example, a sudden lack of concentration and learning or they appear to be tired and hungry

Children who talk about being left home alone, with inappropriate carers or with strangers

Children who reach developmental milestones, such as learning to speak or walk, late, with no medical reason

Children who are regularly missing from school or education

Children who are reluctant to go home

Children with poor school attendance and punctuality, or who are consistently late being picked up

Parents who are dismissive and non-responsive to practitioners' concerns

Parents who collect their children when drunk, or under the influence of drugs

Children who drink alcohol regularly from an early age

Children who are concerned for younger siblings without explaining why

Children who talk about running away

Children who shy away from being touched or flinch at sudden movements.

Parents do not mention injuries which have occurred to their child, give no explanation, give an inappropriate explanation, or keep changing the explanation

Parents do not seek medical help when their child is unwell

Parent's delay seeking treatment for an injury, or make visits to Accident & Emergency Departments very frequently

Parents have unrealistic expectations of their child, and generally negative attitudes towards them

There are things about the parents that concern you – signs of possible alcohol or drug use, or signs there may be an abusive relationship between adults in the home (often referred to as "domestic violence")

## **Recognising and Responding to Abuse/Harm**

Staff, volunteers and Trustees should follow five key steps to help identify and respond appropriately to possible abuse and/or neglect:

- *Be Alert* to the signs and symptoms of abuse
- *Question Behaviours* if something seems unusual
- *Ask for Help* from their manager or Safeguarding Officer if they are unsure
- *Report Concerns* to the Safeguarding Officer
- *Record Concerns* following the appropriate recording procedures

Concerns may arise in one or more of the following areas:

- The child's behaviour
- The child has a physical injury
- The child makes a disclosure or allegation
- The child's physical presentation
- Information from or observation / behaviour of a parent

Staff members do not carry out investigations, nor decide whether children have been harmed. This is a matter for the specialist agencies.

## **Child Protection Procedures**

### ***If a child is suffering or likely to suffer harm, or in immediate danger:***

1. Staff members who have concerns must immediately report their concerns to the Duty Safeguarding Officer.
2. A record of the concern must be completed within 24 hours (See guidance on record keeping below)
3. If the DSL/Duty Safeguarding Officer believes a client is at risk of/has been harmed, they will make a referral to Local Authority Duty Social Worker
4. Following a referral, the DSL/Duty Safeguarding Officer will follow guidance from the Local Authority Duty Social Worker on next steps, including if/how/when to inform the parents/carer
5. If the DSL/Duty Safeguarding Officer does not believe that a referral is required, relevant actions will be taken and recorded, e.g. close monitoring of situation, Early Help Referral

### ***If a child makes a disclosure to you:***

1. Listen to and believe them. Allow them time to talk freely and do not ask leading questions
2. Stay calm and do not show that you are shocked or upset
3. Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner

4. Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret
5. Record the disclosure as soon as possible in line with the record-keeping guidance below.

### **Record Keeping**

Any concerns of the above nature should be recorded on a “Cause for Concern form”. Staff should ensure:

- The form is dated, signed and all details are legible
- The incident / event / observation of concern is described clearly and concisely
- The form is completed using straightforward language
- Only facts are included not opinion or speculation
- If recording a disclosure, the child’s own words are recorded and any questions you may have asked are included
- Physical marks and injuries are recorded on a body map where appropriate
- Specify any action you have taken

The Designated Safeguarding Lead (DSL) will maintain a record of Safeguarding concerns. Records will be retained for up to five years after they have left HACS. These records will be available for inspection by a HM Ofsted Inspector. All documents relating to Safeguarding will be kept securely locked.

If there is a reasonable belief that Female Genital Mutilation has taken place, the DSL/Duty Safeguarding Officer has a legal duty to report this to the police as well as Local Authority.

## ***Staff Behavioural Expectations***

HACS have implemented a Code of Conduct for all Staff, volunteers and Trustees. This should be provided as part of the induction procedure and should be returned, signed by the individual to indicate their commitment to abiding by this codes throughout their engagement in HACS whether this be in a paid or voluntary capacity.

### **Staff, volunteer and trustee code of conduct**

#### **Guiding principles**

The welfare of the child is paramount. All staff have a duty of care to safeguard and promote the welfare of individuals in their care

Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions

Staff should work and be seen to work, in an open and transparent way

The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity

Staff should continually monitor and review their practice and ensure they follow the guidance contained in this code of conduct.

#### **You must:**

Treat all individuals and colleagues with respect

Act as a positive role model for children, young people and vulnerable adults at all times

Ensure that, whenever possible, you are not left unsupervised with a child, young person or vulnerable adult – try to remain within sight of others

Respect all children, young people and vulnerable adults' right to personal privacy

Keep personal information relating to service users or the Charity business confidential

Encourage children to voice their concerns

Remember that someone else might misinterpret your actions no matter how well intentioned

Be aware that physical contact with a child or young person may be misinterpreted

Recognise that special caution is required when you are discussing sensitive issues with children or young people

Operate within the organisation's principles, procedures and guidance, and any specific procedures

Challenge unacceptable behaviour and report all allegations/suspensions of abuse

#### **You must not:**

Behave in a manner which would lead any reasonable person to question your suitability to work with children or act as a role model

Have inappropriate physical or verbal contact with children or young people

Make suggestive or derogatory remarks in front of children or young people

Jump to conclusions about others without checking the facts

Use your position to gain access to information for your own advantage, personal use and/or a child's or family's detriment

Abuse your position of responsibility and trust to intimidate, threaten, coerce or undermine service users

Use your position of responsibility and trust to form or promote relationships with children, which are of a sexual nature

# ***Allegations against a member of staff, volunteer or Trustee***

## **Statement of Intent**

We will deal with any allegation of abuse against a member of staff, volunteer or Trustee very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation. Our procedures for dealing with allegations will be applied with common sense and judgement.

This policy should be used where it is alleged that a member of staff, volunteer or Trustee has:

- Behaved in a way that has harmed, or may have harmed a child;
- Possibly committed a criminal offence against, or related to, a child; or
- Behaved inappropriately towards a child or children in a way that indicates s/he is unsuitable to work with children

## **Definitions**

**Whistle-blowing:** Any safeguarding concerns or allegations of current or historical harm must be reported immediately to the Safeguarding Officer. This is known as “Whistle-blowing”. Whistle-blowing is viewed by the Charity as a positive act that can make a valuable contribution to the organisation’s efficiency and long-term success. Concerns will be seriously considered and appropriate action taken will be taken in response to disclosures. Anyone who raises these concerns will be protected from reprisals or victimisation. For more information refer to the HACS Whistle-Blowing Policy.

**Substantiated:** there is sufficient evidence to prove the allegation

**Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive

**False:** there is sufficient evidence to disprove the allegation

**Unsubstantiated:** there is insufficient evidence to either prove or disprove the allegation (this does not imply guilt or innocence)

**Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made

## **Guidance**

Early warning signs of inappropriate behaviour may include:

- A child/young person receiving special attention, preferential treatment or additional help especially if it is without knowledge of parents or other staff
- Excessive time spent alone with a child or young person, or time with a child or young person in private or isolated areas

- Using texts, telephone calls or other social media networking sites to communicate inappropriately with children or young people (including children/young people that don't attend the setting)
- Concerns raised by other pupils
- Inappropriate physical contact
- Sharing personal photos

## **Suspension**

Suspension will not be the default position, and will only be considered in cases where there is reason to suspect that a child or other children is/are at risk of harm, or the case is so serious that it might be grounds for dismissal. In such cases, we will only suspend an individual if we have considered all other options available and there is no reasonable alternative. Based on an assessment of risk, we will consider alternatives such as redeployment within the organisation so that the individual does not have direct contact with the child or children concerned.

## **Procedure**

Any person wishing to report a concern should contact the Charity's Designated Safeguarding Lead (DSL – currently the Chief Executive). If the allegation is regarding the Chief Executive, or a conflict of interest arises which would inhibit an impartial investigation by the Chief Executive; the concern should be reported to one of the Duty Safeguarding Officers, who will contact the Chair of Trustees. The Chair of Trustees will delegate the duties listed below of the Chief Executive to an appropriate individual who will assume the duties of the DSL as listed below.

The DSL will immediately discuss the allegation with the designated officer at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or children's social care services. (The DSL may, on occasion, consider it necessary to involve the police before consulting the designated officer – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the designated officer as soon as practicably possible after contacting the police)

The DSL will inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the local authority designated officer (and the police or children's social care services, where necessary). Where the police and/or children's social care services are involved, the DSL will only share such information with the individual as has been agreed with those agencies.

Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the setting is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the designated officer, police and/or children's social care services, as appropriate

If immediate suspension is considered necessary, the DSL must agree and record the rationale for this with the local authority's designated officer. The record will include information about the

alternatives to suspension that have been considered, and why they were rejected. The DSL will follow the organisation's internal procedures relating to suspension of staff.

If it is decided that no further action is to be taken in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the local authority's designated officer what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation.

If it is decided that further action is needed, take steps as agreed with the local authority's designated officer to initiate the appropriate action and/or liaise with the police and/or children's social care services as appropriate.

The individual facing the allegation or concern will be provided with support from the Charity, including appointing a named representative to keep them informed of the progress of the case and considering what other support is appropriate.

- The DSL will inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with children's social care services and/or the police, if applicable). The DSL will need to make a decision, (informed by the local authority designated officer / children's social care services and/or the police) about how much information to divulge at this stage to ensure that a Police investigation is not compromised.
- The DSL will inform the parents or carers of the requirement to maintain confidentiality about any allegations made against staff while investigations are ongoing. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a staff member will be advised to seek legal advice.
- The DSL will keep the parents or carers of the child/children involved informed of the progress of the case and the outcome. However if an investigation is opened by children's social care services or the Police, HACS will no longer be responsible for sharing information in relation to the investigation. Where there is not a criminal prosecution, the DSL will share the outcome of any disciplinary action taken in relation to Safeguarding, however the deliberations of a hearing information or evidence taken into account in reaching decision cannot normally be disclosed.
- The DSL will make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child, or if the individual otherwise poses a risk of harm to a child

## **Timescales**

- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious will be resolved within 1 week
- If the nature of an allegation does not require formal disciplinary action, we will institute appropriate action within 3 working days

- If a disciplinary hearing is required and can be held without further investigation, we will hold this within 15 working days

## **Outcomes**

### ***Action following a criminal investigation or prosecution***

The DSL will discuss with the local authority's designated officer whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or children's social care services.

### ***Conclusion of a case where the allegation is substantiated***

If the allegation is substantiated and the individual is dismissed or the Charity ceases to use their services, or the individual resigns or otherwise ceases to provide their services, the DSL will discuss with the local authority's designated officer whether to make a referral to the DBS for consideration of whether inclusion on the barred lists is required.

### ***Individuals returning to work after suspension***

If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the DSL will consider how best to facilitate this.

The DSL will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still accessing the Charity's services.

### ***Unsubstantiated or malicious allegations***

If an allegation is shown to be deliberately invented, or malicious, the Chief Executive, or other appropriate person in the case of an allegation against the Chief Executive, will consider whether any disciplinary action is appropriate against the pupil(s) who made it, or whether the police should be asked to consider whether action against those who made the allegation might be appropriate, even if they are not a pupil.

## **Confidentiality**

Employee confidentiality will be maintained at all times. The Charity will endeavour to guard the employee against publicity while the allegation is being investigated. The DSL will take advice from the local authority's designated officer, police and children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality
- What, if any, information can be reasonably given to the wider community to reduce speculation
- How to manage press interest if, and when, it arises

If the employee chooses to tender his/her resignation or cease to provide their services, the allegation will continue be investigated in accordance with these procedures. It is important to reach a conclusion in all cases, including any in which the person concerned refuses to cooperate

with the process. All outcomes shall be reported back to the local authority designated officer for their consideration.

By the same token, so called “compromise agreements” by which the individual agrees to resign, or whereby the Charity agrees not to pursue disciplinary action and both parties agree a form of words to be used in any future reference, will strictly not be used. In any event, a thorough police investigation will be carried out where appropriate. Nor can it override the Charity’s statutory duty where culpability is proven to make a referral to the Disclosure and Barring Service.

### **Record-keeping**

The DSL will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual’s confidential personnel file for the duration of the case. Such records will include:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Notes of any action taken and decisions reached (and justification for these, as stated above)

If an allegation or concern is not found to have been malicious, the Charity will retain the records of the case on the individual’s confidential personnel file, and provide a copy to the individual.

Where records contain information about allegations of sexual abuse, we will preserve these for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry. We will retain all other records at least until the individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

The records of any allegation that is found to be malicious will be deleted from the individual’s personnel file.

### **References**

When providing employer references, we will not refer to any allegation that has been proven to be false, unsubstantiated or malicious, or any history of allegations where all such allegations have been proven to be false, unsubstantiated or malicious.

### **Learning lessons**

After any cases where the allegations are substantiated, we will review the circumstances of the case with the local authority’s designated officer to determine whether there are any improvements that we can make to the Charity’s procedures or practice to help prevent similar events in the future. This will include consideration of (as applicable):

- Issues arising from the decision to suspend the member of staff
- The duration of the suspension
- Whether or not the suspension was justified
- The use of suspension when the individual is subsequently reinstated. We will consider how future investigations of a similar nature could be carried out without suspending the individual

## ***Allegations of peer-on-peer abuse***

We recognise that children and young people are capable of abusing their peers. Abuse will never be tolerated or passed off as “banter” or “part of growing up”. We will minimise the risk of peer-on-peer abuse by:

- Challenging any form of derogatory or sexualised language or behaviour
- Being vigilant to issues that particularly affect different genders – for example, sexualised or aggressive touching or grabbing towards peers
- Ensuring our support methodology helps to educate children and young people about appropriate behaviour and consent
- Ensuring children and young people know they can talk to staff confidentially by displaying our safeguarding in the venues we use
- Ensuring staff are trained to understand that peer-on-peer harm could be a sign that the child is being abused themselves, and that this would fall under the scope of this policy. Appropriate support will then be provided to the alleged perpetrator of the abuse.

Most cases of children or young people hurting their peers will be dealt with under our Positive Behaviour Strategy, but the Safeguarding Strategy will apply to any allegations that raise Child Protection concerns. This might include where the alleged behaviour:

- Is potentially a criminal offence
- Could put children or young people accessing our services at risk
- Is violent
- Involves drugs or alcohol
- Involves sexual exploitation or sexual abuse, such as indecent exposure, sexual assault, or sexually inappropriate pictures or videos (including sexting)

If a child makes an allegation of abuse against another child:

- You must record the allegation using the same procedure as previously outlined
- Report your concerns to the DSL/Duty Safeguarding Officer

The DSL/Duty Safeguarding Officer will contact the local authority children’s social care team and follow its advice, as well as the police if the allegation involves a potential criminal offence. In the majority of cases, both the parents of the victim and the child(ren) against whom the allegation has made will be informed immediately. However, we will follow the advice of the social care team on a case-by-case basis. For example, if we believe that notifying a parent would increase the risk to the child, a strategy will be agreed with the social care team how to manage this.

The DSL/Duty Safeguarding Officer will put update individual risk assessments and Positive Behaviour Support Plans to include the newly presented risk, together with agreed strategies to minimize risk for all children involved – both the victim(s) and the child(ren) against whom the allegation has been made – with a named person they can talk to if needed.

## ***Preventing Extremism***

We recognise that extremism and exposure to extremist materials and influences is a national priority and so should be addressed as a safeguarding concern. We also recognise that if we fail to challenge extremist views we are failing to protect the individuals in our care and fail in our obligation to promote a safe, equal and diverse society.

The Charity will emphasise the importance of prevention in all its actions, to reduce the risk of extremism. Through promotion of British values of democracy, the rule of law, individual liberty, mutual respect and tolerance for those with different faiths and beliefs, we will foster and encourage learners and staff to respect one another and to respect and tolerate difference. The Charity will actively promote an ethos of safe and acceptable behaviour so that everybody knows and understand what safe and acceptable behaviour is in the context of extremism and radicalisation.

Staff members who have concerns about apparently discriminatory or extremist views, must report their concerns to the Duty Safeguarding Officer, who will discuss a potential referral with the Local Authority's Channel Team.

Staff and volunteers will receive "Prevent" training as part of their induction.

## ***E-Safety and Acceptable Use***

The E-Safety and Acceptable Use policy and procedures apply to all staff, volunteers and trustees.

The aim of the policy is to:

- Protect children, young people and vulnerable adults using HACS services who who make use of information and communication technology (such as mobile phones, games consoles and the internet) as part of their involvement with HACS
- Provide staff and volunteers with the principles that guide HACS approach to E-Safety.
- Protect professionals.
- Ensure that, as an organisation, HACS operate in line with our values and within the law in terms of how we use information technology.

The following are the range of technologies which can be used positively but which can also put people at risk:

- Internet
- E-mail
- Instant messaging Blogs
- Podcasts
- Social networking sites
- Chat rooms
- Gaming Sites
- Mobile phones with camera and video functionality
- Mobile technology (e.g. games consoles) that are internet ready and include webcams
- E-smart phones with e-mail, web functionality, camera and video functionality and secure text network

Risks can come under the categories outlined below:

	<b>Commercial</b>	<b>Aggressive</b>	<b>Sexual</b>	<b>Values</b>
<b>Content</b> That the user may come across either accidentally or via a deliberate search	Adverts Spam Sponsorship Requests for personal information  Exposure to age-inappropriate material	Violent/hateful content	Exposure to illegal material, e.g., images of child abuse Pornographic/unwelcome sexual content	Bias Racist Misleading information/advice

<b>Contact</b> Unsuitable contact from another user	Tracking Harvesting Publishing information about themselves	Being bullied, harassed, stalked	Meeting strangers Being groomed	Self-harm Unwelcome persuasions
<b>Conduct</b> User's behaviour that creates risk either through illegal activity or lack of awareness of the potential consequences	Illegal downloading Gambling Hacking Financial scams	Bullying or harassing another	Creating and uploading inappropriate/ abusive material 'Sexting'	Providing misleading information/ advice

## Cyberbullying

Cyberbullying is the use of technology such as mobile phone, internet, e-mail, social networking sites, chat rooms and instant messaging services to deliberately upset someone else. It can be used to carry out all the different types of bullying, an extension of face-to-face bullying. It can also go further, by invading home/personal space and can involve a greater number of people. It may or may not be an anonymous method by which bullies can torment their victims at any time of day or night. It can draw bystanders into being accessories.

Cyberbullying includes: threats and intimidation; harassment or 'cyber-stalking'; vilification/defamation; exclusion or peer rejection; impersonation; unauthorised publication of private information or images ('happy-slapping'); and manipulation. It includes sexting, sending explicit images electronically. These images can be widely distributed. It also includes trolling, the online posting of inflammatory messages with the intention of provoking an emotional response. This can involve violent threats, poking fun, making trouble and causing annoyance. It can involve setting up hate websites or groups on social networking sites. It can take place across age groups and adults working with children can be targeted, for example, by pupils and/or parents.

The victim may receive email, chat, text messages or posts on social networking sites that make them feel embarrassed, upset, depressed or afraid. This can damage their self-esteem and pose a threat to their psychological wellbeing. Cyberbullying can pose a serious threat to their physical and emotional safety.

Cyberbullying will be dealt with through HACS Safeguarding Strategy, specifically Child Protection and Bullying procedures.

## Acceptable Use

The Acceptable Use Policy clearly identifies the expectations and boundaries for the use of technology both provided by HACS and those provided by individuals for their personal use. AUP applies to the use of computers, laptops, mobile phones, smart phones, cameras and video cameras, webcams, games consoles and other technology that may be available within the organisation.

HACS provides additional software and/or settings to limit the E-Safety risk for children, young people and vulnerable adults when using ICT. For off-site activities in Local Authority buildings we will work within their acceptable use framework and make use of their security features.

- In general, use of HACS ICT equipment should be for the administrative purposes of the organisation
- Your use of the organisation's ICT services must at all times comply with the law.
- Your use of the organisation's ICT services must not interfere with any others' use of these facilities and services.
- You are not entitled to use a computer that you have not been authorised to use.
- You must not access any program or data which has not been specifically authorised for your use.
- You must not alter computer material belonging to another user without the users' permission.
- You must not use the organisation's ICT services to harass, defame, libel, slander, intimidate, impersonate or otherwise abuse another person
- You must not use the organisation's ICT services for the creation, collection, storage, downloading or displaying of any offensive, obscene, indecent or menacing images, data or material capable of being resolved into such.
- You must not use the organisation's ICT services to conduct any form of commercial activity without express permission.
- You must not use the organisation's ICT services to disseminate mass (unsolicited) mailings.
- You must not use any IRC or messenger software including, but not limited to AOL, MSN, Yahoo! or other "Messengers", IRC or "chat" clients unless expressly authorized to do so for work related purposes
- You must not post or subscribe to newsgroups, on-line discussion boards or email list groups from the organisation's ICT services, unless specifically related to organisational activities
- You must not play computer games of any nature whether preinstalled with the operating system or available online

# ***Photography***

## **Rationale**

Photographs are an excellent way to share experiences with family members, supporters and funders. Photographs are also a visual cue for people with communication difficulties to remind them of the activities they have completed. Photographs provide good evidence of an individual's achievement for assessment purposes.

## **Guidance**

Parental permission must be obtained for children and young people via the client personal information form indicating permission for photographs to be taken and used for publicity purposes. Parents/carers are made aware that photographs may be used for "purposes which may include charity newsletter, charity webpage, brochures, display and any professional publicity, such as brochures, local newspaper article or to be shared with external funders for evidence purposes". If parents/carers do not grant permission for their child's photograph to be taken, the Supervisor of that client's group will be advised accordingly, and all photographs will be screened to ensure that child is not in any of the photos.

Visiting professionals may take photographs at the setting at the discretion of the Charity Chief Executive after determining the purpose and how these photos will be used. Parents/carers will be advised in advance if a professional is visiting and will be taking photos, and can withdraw their child from the photos if they so wish.

Photographs will be taken using one of the Charity's cameras by HACS staff or volunteers. Personal photography equipment or camera mobile phones are not permitted to be used at any time to take photographs at the setting. Use of personal photography equipment or camera mobile phones by staff or volunteers, will be treated as gross misconduct and will be dealt with accordingly, potentially resulting in dismissal of the staff member concerned.

Each client personal information file will have a photograph of the client on the front of the file for identification purposes. These files are stored in a lockable filing cabinet at the H.A.C.S. Resource Centre. Photographs are stored electronically on the H.A.C.S. Computer Shared drive. Only members of H.A.C.S. Resource Centre staff have access to these photographs. Old or disused photographs from displays will be shredded before being put in the recycling bin.

Parents/carers may request that any photographs of their child are destroyed if the client leaves the setting.

## ***Absconding Child/Young Person***

HACS aim to provide an environment in which clients will feel safe and secure. However, clients on the Autism Spectrum can exhibit unpredictable behaviours if they are suffering anxiety. One of the behaviours can be “escape” behaviours, such as running away or trying to leave the setting. This will become apparent if a key carer is unable to locate their allocated client for more time than expected for them to visit the toilet, deliver or collect something from another area of the building. Their non-return will give rise for concern and all staff will follow the Absconding procedure.

The H.A.C.S. Resource Centre is a physically secure environment. There is secure fencing around the outdoor areas, and members of staff will be present in the outdoor areas at all times when clients are using the area. The external green gate will remain closed at all times when clients are on site. During morning registration, and at the end of the day when parents/carers are picking clients up, a member of staff or volunteer will be allocated to guard the gate to ensure clients are not leaving alone without a parent or carer.

If a client has been identified as posing a high risk of absconding when off site, or has a history of absconding incidents in the care of other settings, they will be individually identified on off-site risk assessments. Specific strategies will be employed to minimise the risk of this behaviour.

When the client is found, there will be a thorough investigation of how the client absconded from their key carer. Any weakness in the system of client security will be remedied effectively. The Absconding policy and procedure will be scrutinised in the light of the experience to ensure it is as effective as possible.

### **Procedure for Absconding Client**

1. When a member of staff identifies that a client is missing/has potentially absconded, they should immediately notify their supervisor. Note the time.
2. If on an off-site trip, the supervisor should immediately alert staff at the venue and request that all exits are guarded by staff. They should give the staff a description of the child and request that they ensure any children of a similar description are not allowed to leave the venue.
3. The supervisor will reallocate clients to enable two members of staff to search the area. The staff members searching for the client will carry client’s photograph to gain help from venue staff or members of the public who may have seen or may see the client.
4. The supervisor will contact the Recreation Manager and inform that a client is missing. Search of the area will continue. If possible other staff to reallocate their children to join search. Staff will carry their mobile phones to keep in touch with each other.
5. After twenty minutes from the time that the alarm was raised, the Recreation Manager will contact the police if the client has not been found. **Depending on the nature of the client’s needs, the Recreation Manager will use discretion and may contact the police sooner.**

6. The Designated Safeguarding Lead (DSL) / Duty Safeguarding Officer will contact the client's parents/carers after the Police have been called.
7. While the police are being called, the two members of staff searching will extend their search to the local area (photographs of client should remain at the venue for police use). One will go on foot in one direction and one will travel by car in a different direction. They will investigate the land and roads around the immediate area.
8. When the police arrive, staff will give the police copies of the client's photograph. They will reinforce this with a verbal explanation and any other relevant information related to the client at the time that they went missing.

## ***Uncollected Child/Young Person***

If in the event of a failure to collect a child/young person, the on-site Supervisor will attempt to contact the child's parent/carer by telephoning the contact telephone numbers listed on the child's personal information file, including emergency contact numbers. If staff have not been able to make contact with the parent/carer by 3.30pm, the Designated Safeguarding Lead/Duty Safeguarding Officer will be notified.

Two members of staff will remain with the client at the setting, one of whom must be the on-site supervisor or Duty Safeguarding officer.

If all attempts to contact the parents fail by 4.30pm, the DSL/Duty Safeguarding Officer will notify Social Services and the police. The Chair of the Trustees must also be notified at this point.